



Patent Application
Attorney Docket No. 5964-C1

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By

Rebecca Pesantez

(Signature of person mailing)
Rebecca Pesantez

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **GOWAN, ET AL.** :

APPLICATION SERIAL NO.: **10/700,197** : Examiner: --

FILING DATE: **NOVEMBER 3, 2003** : Group Art Unit: --

TITLE: **COMBINATION CHEMOTHERAPY**:

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 C.F.R. 1.53(e)(2) TO ACCORD APPLICATION FILING DATE

Applicants herein request that the above-referenced patent application be granted a filing date as of November 3, 2003, on the grounds that the Notice of Incomplete Nonprovisional Application has been erroneously applied to the current situation. A copy of the Declaration as originally filed is attached herein.

Please charge deposit account 16-1445 the amount of \$130.00 and any additional amount necessary to satisfy the Petition obligation.

Applicants respectfully submit that the Examiner has correctly observed that figures 1-3, identified on page 24 of the specification, were not filed with the application on November 3, 2003. The Examiner has thus provided Applicants with the appropriate Notice under 37 C.F.R. 1.53(e). Applicants, however, respond that such figures are not required for a complete application. This is so, because the specific figures that were not filed with the application merely relate to the data that results from practicing the invention. They are not necessary for an understanding of the invention. Applicants specifically refer the Examiner to pages 31-33 wherein the

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Applicants have provided a detailed discussion of how to prepare the formulations of the invention. Applicants also refer the Examiner to pages 75-77, wherein Applicants set out the specific protocol for determining the activity. It is clear from the review of these sections that the data is merely illustrative of the result of practicing concrete steps that are used to determine the activity. Thus, Applicants respectfully request that the Examiner remove the Notice of Incomplete Provisional Application and accord the application the filing date referred to above.

Respectfully submitted,

Date: March 11, 2004


Garth Butterfield
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Pfizer Inc
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EE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small status. See 37 CFR 1.27

Total Amount of Payment **\$130.00**

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Other None
Order

Deposit Account:

Deposit Account Number	16-1445
Deposit Account Name	Pfizer Inc

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2203	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	filin fee	

Subtotal (1)s

\$

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			- 20** =	x	=
			- 3 =	x	=
				=	

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue independent claims over original patent

(\$)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Printed/Type)	Signature	Registration No. (Attorney Agent)	Telephone	Date
GARTH BUTTERFIELD	<i>Garth Butterfield</i>	36,997	(212) 573-1229	3/11/04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and /or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.